

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ADRIAN GUTIERREZ MARTINEZ,

Plaintiff,

vs.

LARRY W. KAHL, LISA M. WIEBLE,
STEPHANIE OWENS, and DIANE
SCHUMACHER,

Defendants.

8:22CV66

ORDER

This matter is before the court on its own motion. Plaintiff Adrian Gutierrez Martinez filed with the court a Complaint for Violation of Civil Rights (Non-Prisoner Complaint). (Filing 1.) Plaintiff has another pending civil case in this court—Case No. 8:21CV343—which is currently pending the court’s initial review pursuant to 28 U.S.C. § 1915(e)(2). On page 8 of the Complaint, Plaintiff wrote “Case No. 8:21CV-343” on a handwritten document labeled “Amended Complaint.” (Filing 1 at CM/ECF p. 8.) Plaintiff clearly intended to incorporate this attachment and the other attached documents into the Complaint. (*See* Filing 1 at CM/ECF p. 5.) Upon examination, the court believes Plaintiff’s pleading is more properly construed as an amended complaint intended for filing in Case No. 8:21CV343. (*See* Filing 1 at CM/ECF p. 7 (referring to “this amended complaint”).) Accordingly,

IT IS ORDERED that:

1. The clerk of the court is directed to close this case for statistical purposes.

2. The clerk of the court is directed to file Plaintiff's complaint (filing 1) as an amended complaint in case number 8:21CV343.

Dated this 22nd day of February, 2022.

BY THE COURT:

A handwritten signature in blue ink that reads "Richard G. Kopf". The signature is written in a cursive, flowing style.

Richard G. Kopf
Senior United States District Judge